

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NELSON COBAS,

Petitioner,

v.

Case No. 2:00-cv-74647
Honorable Denise Page Hood

MARY BURGESS,

Respondent.

/

**ORDER DENYING PETITIONER'S MOTION IN SUPPORT
OF REQUEST FOR A CERTIFICATE OF APPEALABILITY**

[Docket No. 77]

Petitioner Nelson Cobas, a *pro se* state prisoner at the G. Robert Cotton Correctional Facility in Jackson, Michigan, has appealed the Court's recent order denying his post-judgment motions. Because the Court also declined to issue a certificate of appealability in its recent order, *see* Opinion and Order, Docket No. 74, p. 10, Petitioner filed a "Motion in Support of Request for a Certificate of Appealability" in the United States Court of Appeals for the Sixth Circuit. *See Cobas v. Lindsey*, No. 18-1320, Docket No. 5 (6th Cir. Apr. 6, 2018). He filed a copy of that motion in this Court as well. *See* Docket No. 77.

Petitioner followed the correct procedure by filing his notice of appeal in this Court, *see* Docket No. 75, but he was not required to file subsequent documents addressed to the Court of Appeals in this Court. Accordingly, the Court

denies Petitioner's Motion in Support of Request for a Certificate of Appealability (Docket No. 77) as unnecessary and as duplicative of a motion pending before the Court of Appeals.

S/Denise Page Hood
Denise Page Hood
Chief Judge, United States District Court

Dated: May 1, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 1, 2018, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager